

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NICHOLAS MERRILL,

Plaintiff,

-against-

LORETTA E. LYNCH, in her official
Capacity as Attorney General of
The United States, and
JAMES B. COMEY, in his official
Capacity as Director of the Federal
Bureau of Investigation,

Defendants.

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USDC SDNY

DOCUMENT

ELECTRONICALLY FILED 09/15/2015

14 **CIVIL** 9763 (VM)

JUDGMENT

Plaintiff having moved for summary judgment (Doc. #16) pursuant to Fed. R. Civ. P. 56, and the Government opposes Merrill's summary judgment motion, and also moves to dismiss the Complaint or for summary judgment (Docs. #24, 25), and the matter having come before the Honorable Victor Marrero, United States District Judge, and the Court, on August 28, 2015, having rendered its Decision and Order (Doc. #44) granting the motion for summary judgment (Dkt. No. 16) of Plaintiff Nicholas Merrill; and denying the motion to dismiss the Complaint or for summary judgment (Dkt. No. 24) of the Government; and directing the Clerk of Court to file the redacted version of the Decision and Order on the public docket; and also directing the Clerk of Court to enter judgment accordingly but stay enforcement of the judgment pending any appeal, or, if no appeal is filed, for 90 days from the date of the Decision and order; and directing the Clerk of Court to terminate the motion for summary judgment (Dkt. No. 16) and the motion to dismiss or for summary judgment (Dkt. No. 24), and to close this case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the

Court's Decision and Order dated August 28, 2015, it is hereby ordered that the motion for summary judgment (Dkt. No. 16) of Plaintiff Nicholas Merrill is granted; and it is further ordered that the motion to dismiss the Complaint or for summary judgment (Dkt. No. 24) of the Government is denied; and it is further ordered that the Clerk of Court shall file the redacted version of the Decision and Order on the public docket; and it is further ordered that the judgment shall be entered accordingly but stay enforcement of the judgment pending any appeal, or, if no appeal is filed, for 90 days from the date of this Decision and order; accordingly, the case is closed.

Dated: New York, New York
September 15, 2015

RUBY J. KRAJICK

BY:

Clerk of Court

K. Mango

Deputy Clerk